

EXHIBIT 10

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUN 18 2007

FILED
CLERK'S OFFICE

DOCKET NO. 1789

***BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE FOSAMAX PRODUCTS LIABILITY LITIGATION***

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-25)

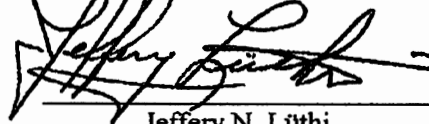
On August 16, 2006, the Panel transferred four civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 444 F.Supp.2d 1347 (J.P.M.L. 2006). Since that time, 56 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable John F. Keenan.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Keenan.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of August 16, 2006, and, with the consent of that court, assigned to the Honorable John F. Keenan.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

SCHEDULE CTO-25 - TAG-ALONG ACTIONS
DOCKET NO. 1789
IN RE FOSAMAX PRODUCTS LIABILITY LITIGATION

DIST. DIV. C.A.#

CASE CAPTION

CALIFORNIA CENTRAL

CAC 2 07-3490

CAC 2 07-3492

CAC 2 07-3493

CAC 2 07-3495

CAC 2 07-3497

Illene Bujdoso, et al. v. Merck & Co., Inc., et al.

Francis Finch, et al. v. Merck & Co., Inc., et al.

Bennie Horton, et al. v. Merck & Co., Inc., et al.

Frank Martin, et al. v. Merck & Co., Inc., et al.

Cecilia Smith, et al. v. Merck & Co., Inc., et al.

FLORIDA MIDDLE

FLM 8 07-965

Nancy Anderson v. Brite Dental Corp., et al.

NEW YORK NORTHERN

NYN 3 07-590

Terrie J. Watkins v. Merck & Co., Inc.

NEW YORK WESTERN

NYW 6 07-6278

Dorothy C. Resutek v. Merck & Co., Inc.

INVOLVED COUNSEL LIST (CTO-25)
DOCKET NO. 1789
IN RE FOSAMAX PRODUCTS LIABILITY LITIGATION

Sarah Alexandra Binder
Hughes, Hubbard & Reed, LLP
One Battery Park Plaza
New York, NY 10004-1482

Robert F. Clarke
Phillips & Associates
3030 North Third Street
Suite 1100
Phoenix, AZ 85012

Charles W. Cohen
Hughes, Hubbard & Reed, LLP
One Battery Park Plaza
New York, NY 10004-1482

Douglas C. Emhoff
Venable, LLP
2049 Century Park East
21st Floor
Los Angeles, CA 90067

Wendi J. Frisch
Morris, Polich & Purdy, LLP
1055 West 7th Street
Suite 2400
Los Angeles, CA 90017

Brian A. Goldstein
Barnes Firm, P.C.
17 Court Street
7th Floor
Buffalo, NY 14202-3290

M. King Hill, III
Venable, LLP
210 Allegheny Avenue
Towson, MD 21204

Thomas Larry Hill
Moore, Hill & Westmoreland, P.A.
220 West Garden Street
Sun Trust Tower, 9th Floor
P.O. Box 13290
Pensacola, FL 32502

Katharine R. Latimer
Spriggs & Hollingsworth
1350 I Street, N.W.
9th Floor
Washington, DC 20005

Thomas Saieva
Saieva, Rousselle & Stine, P.A.
601 West Swann Avenue
Suite B
Tampa, FL 33606

Christopher A. Seeger
Seeger Weiss
One William Street
10th Floor
New York, NY 10004-2502

Terry O. Tottenham
Fulbright & Jaworski, L.L.P.
600 Congress Avenue
Suite 2400
Austin, TX 78701-2011

James A. Wardell
Wardell & Quezon, P.A.
805 West Azeele Street
Tampa, FL 33606